

STATE OF IOWA
DEPARTMENT OF COMMERCE
UTILITIES BOARD

IN RE: MCLEODUSA TELECOMMUNICATIONS SERVICES, INC., Complainant, vs. U S WEST COMMUNICATIONS, INC., Respondent.	DOCKET NO. FCU-96-6
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ORDER GIVING NOTICE OF PENDING TERMINATION OF DOCKET

(Issued October 26, 2001)

On July 12, 1996, McLeodUSA Telecommunications Services, Inc. (McLeodUSA), filed a complaint against U S West Communications, Inc., n/k/a Qwest Corporation (Qwest). The complaint presented issues concerning Qwest's processing of McLeodUSA's service orders. McLeodUSA resells services based on Qwest's Centrex Plus to McLeodUSA customers.

The Utilities Board (Board) issued an order on October 10, 1996, concluding that Qwest discriminated against McLeodUSA by providing local exchange telephone services and essential facilities to McLeodUSA on terms and conditions less favorable than it provides for itself. The parties subsequently filed a stipulation by which they agreed to keep the record open in this docket while they addressed McLeodUSA's concerns. They also agreed to file periodic joint reports with the

Board describing their efforts to establish more efficient ordering and provisioning measures.

On June 25, 1998, the Board issued an order approving a stipulation of the parties. The stipulation included an agreement to establish a timeline to develop an electronic data interchange (EDI) interface to replace the then-existing system for ordering and provisioning of service. A hearing was held on October 14, 1998, to consider the issue of whether flow-through functionality should be included in the EDI to be developed, pursuant to the stipulation.

On February 4, 1999, the Board issued an order affirming that the parties were to develop an EDI interface with flow-through functionality for the ordering and provisioning of Centrex Plus-based service to the extent reasonably possible. The parties were directed to establish a timeline to develop such an EDI interface.

On March 26, 1999, the Board issued an order allowing Qwest to conduct a third-party evaluation by Telcordia Technologies (Telcordia), f/k/a Bell Communications Research, to determine the changes to Qwest's systems that would be necessary to implement flow-through order processing. A report from Telcordia was to be provided to both parties within 13 weeks of the date of the order. The Board also ordered that this docket would remain open for the Board to oversee the parties' development of flow-through functionality and the mechanization of ordering and provisioning for Centrex Plus-based services.

After receiving and considering the Telcordia report, the parties started filing monthly status reports on September 7, 1999. The parties recommended two

phases of work operating on separate tracks. Monthly reports would continue to be filed with the Board through the completion of the first phase, while the second phase reports would be retained by the parties. The parties further agreed to close the docket upon completion of the second phase. The first phase concerned designing, developing, and deploying an EDI interface. The second phase would analyze the scope of flow-through needed to accommodate McLeodUSA's needs in a cost-effective manner, identify the functionalities needed to deliver that scope, and create a project plan.

Monthly status reports continued through January 22, 2001. In the last report, the parties stated that the first phase was complete. The last report also stated that flow-through improvements would be internally documented and that future steps would be outside of the stipulation but within the scope of the Interconnection Agreement between the parties.

It appears from this record that the conditions imposed upon the parties to develop an EDI interface with flow-through capabilities have been met. For example, a statement in the last jointly-filed report indicates that each party believes that future steps would be outside the scope of the stipulation approved by the Board on June 25, 1998.

It further appears that McLeodUSA's concerns addressed in this docket are being reviewed and evaluated through the Regional Oversight Committee's test of Qwest's Operational Support Systems in Docket No. INU-00-2. Thus, it appears there is no need to continue this docket and the Board proposes to terminate it.

However, the Board will give the parties an opportunity to request continuation of this docket. The parties will have 30 days to file any such request, which should state all reasons why this docket should not be terminated and a specific proposed timeline for any further actions. If no request is filed within 30 days of the date of this order, the docket will be terminated without further action by the Board. If a request for continuing this docket is filed, the Board will consider the request and any responsive pleadings and take such further action as may be appropriate.

IT IS THEREFORE ORDERED:

In the absence of any request by a party to continue this docket, it will be terminated 30 days from the date of this order, without any further action by the Board. If a request for continuation of this docket is filed by any party within 30 days of the date of this order, the docket will remain open until further order.

UTILITIES BOARD

/s/ Allan T. Thoms

/s/ Diane Munns

ATTEST:

/s/ Judi K. Cooper
Executive Secretary

/s/ Mark O. Lambert

Dated at Des Moines, Iowa, this 26th day of October, 2001.